

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

**ERIC L. SEIVLEY AND
TERESA TAYLOR,
on behalf of themselves and all others
similarly situated,**

Plaintiffs,

VS.

LOWE'S HOME CENTERS, INC.,

Defendant.

CIVIL ACTION No. 2:06-cv-368

**JOINT MOTION FOR LEAVE TO FILE EXHIBIT TO
JOINT MOTION FOR APPROVAL OF SETTLEMENT AGREEMENTS AND
DISMISSAL OF ACTION UNDER SEAL**

Plaintiffs Eric L. Seivley, Teresa Taylor, and Rolanda Reese, and Defendant Lowe's Home Centers, Inc. file this Joint Motion for Leave to File Exhibit to Joint Motion for Approval of Settlement Agreements and Dismissal of Action Under Seal and demonstrate good cause for doing so.

I.

This is a Fair Labor Standards Act case, and the parties have agreed to enter into three Confidential Settlement Agreements resolving all of Plaintiffs' claims. In conjunction with this motion, the parties will file a joint motion asking the Court to approve their settlements. The Settlement Agreements will be attached as Exhibit A to the Joint Motion for Approval of Settlement Agreements and Dismissal of Action.

II.

The parties believe the terms of the Settlement Agreements are confidential and should not be readily available to the public or to business competitors of Defendant. Moreover, the parties' Settlement Agreements explicitly provide that the terms of the Settlement Agreements and the underlying facts will be kept strictly confidential due to the privacy considerations of the Plaintiffs and Defendant alike, which include: (a) the desire to avoid potential for harm to Defendant's operations and business relationships; and (b) the desire to avoid unnecessary disclosure of individual Plaintiff's financial affairs.

III.

The parties further agree that the Settlement Agreements should not be disclosed except to the Plaintiffs, their attorneys and representatives, and the Defendant and its attorneys and representatives.

WHEREFORE, PREMISES CONSIDERED, the parties respectfully request that, for good cause shown, the Court grant the parties leave to file the Settlement Agreements under seal of confidentiality.

DATED: August 26, 2009.

Respectfully submitted,

/s/Laureen F. Bagley

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